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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,378	03/12/2004	William Chenevich	055555-0233	7289

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EXAMINER
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TIMBLIN, ROBERT M

ART UNIT	PAPER NUMBER
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2167

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12/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/799,378	Applicant(s) CHENEVICH ET AL.	
	Examiner Robert M. Timblin	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2007.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This Office Action corresponds to application 10/799,378 filed 3/12/2004. Response to arguments can be found on page 8 of this document.

#### ***Response to Amendment***

Applicant herein amends claims 1, 3-5, 7, 10, 12, and 13. Claims 15-25 have been cancelled. Accordingly, claims 1-14 are pending.

#### ***Claim Rejections - 35 USC § 112***

In light of Applicant's amendments, the previous 35 U.S.C. 112 rejections have been reconsidered and withdrawn.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-8, and 10-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Jensen et al. ('Jenson' hereafter) (U.S. Patent Application 2004/0243494). In the following citations, Jenson teaches:

With respect to claim 1, A method of storing, creating, and organizing financial information electronically, the method comprising:

establishing a communication session between a first system (0078, a customer system) and a second system (paragraph 0078 and Figures 1 and 9; e.g. a financial institution);

communicating information associated with a financial document from the second system to the first system the financial document associated with a first account (abstract, 0005, 0022);

providing an online environment (0078-0079; i.e. a financial institutions web site) by the second system (0078; financial institution) configured to allow a customer user (0078) at the first system (0078, a customer system) to create a folder (figure 13; e.g. a creating a new folder name) in the online environment (0078-0079; i.e. a financial institutions web site) hosted at the second system (e.g. a web site provided by a financial institution), the folder being one of a plurality of folders (drawing reference 820, of figure 14) associated with the first account (figures 13-14; e.g. account 12345678); and

to associate the financial document (abstract; i.e. specifying a folder for financial documents) with the created folder (figure 14, drawing reference s 810-820) so that the financial document (0065; e.g. a check image) is included in the created folder (figure 14, e.g. 'First Online Bank Cancelled Check Images) in the online environment hosted at the second system (e.g. a web site provided by a financial institution), wherein the online environment (0078-0079; i.e. a financial institutions web site) displays the financial document in the created folder (figure 14).

With respect to claim 2, the method of claim 1, wherein the financial document includes credit card payments, debit card transactions, imaged checks, electronic bill payments or account statements (0024, figure 12).

With respect to claim 3, the method of claim 1, wherein associating the financial document with the created folder is performed based on instructions from the customer user when the financial information is viewed (abstract).

With respect to claim 4, the method of claim 1, wherein associating the financial document with the created folder is performed without human intervention (0083, figure 11).

With respect to claim 5, the method of claim 4 automatically associating the financial document with the created folder is based on pre-established criteria (the steps in figure 11 that may be automated (0083)).

With respect to claim 7, the method of claim 1, wherein the online environment is further configured to allow the customer user at the first system to retrieve documents based on a document storage time stamp, date last accessed, date posted, dollar amount, group, or category (0022, 0027 and 0116; i.e. indexing by time stamp).

With respect to claim 8, the method of claim 1, further comprising communicating financial information from a third system to the first system corresponding to the first account,

wherein the third system and the second system contain separate and distinct accounts associated with the customer user (0005).

With respect to claim 10 a system for storing, creating, and organizing financial information associated electronically, the system comprising:

a host computer (0021) coupled to a network (170) and running programmed instructions to provide an on-line environment (e.g. a web site provided by a financial institution) for a customer user at a customer user computer (0078, a customer system) connectable to the network (figure 1) to organize (0001), send (0011), search (0019), create (abstract), and save financial information (abstract and 0019) using a hierarchy of folders defined by the customer user (figures 13-14) in the online environment hosted at the host computer (e.g. a web site provided by a financial institution), wherein each folder in the hierarchy of folders includes a financial document that includes multiple indicators (figure 14 drawing reference 830), wherein the host computer is configured to provide a search across folders (figure 14; e.g. the fast find feature as well as paragraph 0019; i.e. providing a search module that enables a search to be performed of the one or more files).

With respect to claim 11, the system of claim 10, wherein the financial document includes credit card payments, debit card transactions, imaged checks, electronic bill payments or account statements (0024, figure 12).

With respect to claim 12, the system of claim 10, wherein financial document is associated with a folder based on instructions from the customer user when the financial information is viewed (figure 14).

With respect to claim 13, the system of claim 10, wherein financial document is associated with a folder automatically upon receipt based on user-defined criteria (abstract).

With respect to claim 14, the system of claim 10, wherein the multiple indicators include document storage time stamp, date last accessed, date posted, dollar amount, or category (0027).

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen as applied to claims 1-5, 7-8, and 10-14 above in view of Chancey et al. ('Chancey' hereafter)(U.S. Patent 5,842,185).

With respect to claim 6 Jensen fails to teach the pre-established criteria includes merchant categories.

Chancey, however, teaches the pre-established criteria includes merchant categories (col. 4 line 64-col. 5 line 12) for associating merchant codes with categories.

In the same field of endeavor, (i.e. processing financial transactions), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Chancey would have given Jensen a further method of organizing financial information and automatic filing so that Jensen may efficiently store and index financial information.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen as applied to claims 1-5, 7-8, and 10-14 above in view of Bacha et al. ('Bacha' hereafter) (U.S. Patent 6,950,943).

With respect to claim 9, Jensen fails to explicitly teach providing each of the plurality of folders with a public or private indication, the folders indicated as public being accessible by persons having a shared key given them by the customer user.

Bacha, however, teaches providing each of the plurality of folders with a public or private indication, the folders indicated as public being accessible by persons having a shared key given them by the customer user (col. 2 line 61-67, col. 4 line 34-40, and col. 6 line 16-23) for listing access privileges.

In the same field of endeavor, (i.e. processing financial information), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to



combine the teachings of the cited references because Bacha would have given Jensen further access privileges and access control to maintain security (i.e. needed by Jensen at [0079]).

### *Response to Arguments*

Applicant's arguments in the remarks filed 9/28/2007 have been fully considered but they are not persuasive.

In section II of Applicant's remarks, it is argued that Jensen fails to teach the specific limitations found in claim 1 and similar claim 10 (i.e. see first full paragraph of page 8 in the remarks). The Examiner respectfully disagrees because Jensen teaches the amended limitations as disclosed.

Specifically, Jensen teaches "creating a folder in the online environment hosted at the second system" and "associating the financial document with the created folder so that the financial document is included in the created folder in the online environment hosted at the second system" as substantially seen in figures 13-14 and cited in the rejection to claim 1 above. That is, Jensen teaches a system where a hypothetical financial institution (0078 and figures 13-14; i.e. First online bank). Shown in figures 13-14, a web page of the institution is displayed so that a user may manage their account. For instance, the user may create a new folder name (i.e. creating a new folder named First Online Bank Cancelled Check images). As shown in figure 14, the folder First Online Bank Canceled Check Images contains records of checks (e.g. check #1014 and #1009). Therefore, by providing an online environment in which a user may create a folder and specify the documents to be contained in that folder (0023 discloses specifying a

folder in which to save contents). Furthermore, in the example of figures 13-14 of Jenson, the use of the financial institute's name (First Online Bank) clearly indicates that the web page presented is an *online* environment that is provided (or hosted) by the financial institute. Jenson also specifies that the shown web page is of the financial institute (paragraph 0079, line 5). The Examiner also submits that by having a two-way communication between a customer and a financial institute over a network (i.e. internet) that the first system (e.g. the customer accessing the financial institution) and second system (the financial institution being accessed) are taught in Jenson.

In respect to the limitations of claim argued to be lacking in Jenson (first full paragraph of page 8 of the remarks), the Examiner respectfully disagrees as Jenson teaches the amended and argued limitations.

Specifically, Jenson teaches an online environment (per the preceding response to arguments). Further, Jenson teaches a customer user computer (0078, a customer system) connectable to the network (figure 1) to organize (0001), send (0011), search (0019), create (abstract), and save financial information (abstract and 0019) using a hierarchy of folders defined by the customer user (figures 13-14) in the online environment hosted at the host computer (e.g. a web site provided by a financial institution). Furthermore, Jenson teaches wherein the host computer is configured to provide a search across folders (figure 14; e.g. the fast find feature as well as paragraph 0019; i.e. providing a search module that enables a search to be performed of the one or more files).

With respect to Applicant's arguments found in section III (page 8) the Examiner submits that as Jensen teaches the elements of claim 1 and 10, the combination of Jensen and Chancey teaches claim 6. With respect to arguments in regards to claim 5, the Examiner submits the amendments thereto render argued claim 5 moot.

With respect to Applicant's arguments found in section IV (page 10), the Examiner submits that as Jensen teaches the elements of claim 1 and 10, the combination of Jensen and Bacha teach the elements in claim 9.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin



Patent Examiner AU 2167



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